

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 817 of 1995

Between:

Omkardas Mahant son of Mannadasji
Gangaram Mutt, Tirupathi, Chittoor Dist

..... PETITIONER

AND

1 Tirupati Municipality, Tirupati, Chittoor District,

Reptd by its Commissioner.

2 The Tirupati Urban Development Authority, Tirupati, Chittoor District

Represented by its Vice-Chairman; TUDA Buildings, Tirupathi Estate.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction, more in the nature of Writ of Mandamus, declaring the action of the respondents, in unauthorisedly interfering with the peaceful possession and enjoyment of the petitioner relating to an extent of Ac. 55.10 in survey No. 581/A of Tirupati Village Accounts covered under the Title Deed No. 2539, dated 4/04/1865 despite the pendency of the enquiry under section 15 (1) of the Estates Abolition Act as totally arbitrary, illegal, and unconstitutional, and contrary to the provisions of the Estates Abolition Act, and consequently direct the respondent, not to interfere with the peaceful possession and enjoyment of the petitioner relating to an extent of Ac.55.10 cents in Survey No. 581/A of Tiruputi Village Accounts.

Counsel for the Petitioner: MR.D.RAMESH

Counsel for the Respondents : K.BATHI REDDY,

The Court made the following:

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ORDER:

It is stated by the learned counsel appearing for the respondents that the only petitioner in this writ petition died in the year 1998 but no steps have been taken so far to bring his legal representatives on record.

In that view of the matter, the writ petition is dismissed as abated. No order as to costs.

_____ R.SUBHASH REDDY, J

17.01.2005

DR

To

- 1 Commissioner,
Tirupati Municipality, Tirupati, Chittoor District
- 2 Vice-Chairman TUDA Buildings,
The Tirupati Urban Development Authority, Tirupati, Chittoor Dist
- 3 2CD copies